

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of the Claims

After entry of the amendments to the claims as set forth above, claims 61, 64-70 and 73-78 will pending in this application. Claims 1-60 were previously canceled. Claims 62-63 and 71-72 are cancelled herein. Claims 61, 64, 65, 70, 73, 74 and 78 have been amended. No new matter has been added: (1) claim 61 has been amended to incorporate claims 62 and 63 therein; (2) claim 64 has been amended to remove a potential duplication of what was incorporated into claim 61 (from claim 62); (3) claim 65 was amended to change its dependency to claim 61 directly; (4) claim 70 has been amended to incorporate claims 71 and 72 therein; (4) claim 73 has been amended to remove a potential duplication of what was incorporated into claim 70 (from claim 71); (5) claim 74 was amended to change its dependency to claim 70 directly; and (6) claim 78 was amended to clarify the subject matter therein without adding any matter.

Rejection Under Section 103(a)

Claims 61-78 stand rejected under 35 U.S.C. § 103(a) over JP 2001-236971 to Nagayama (hereafter "Nagayama") in view JP 2002-313354 to Yoshida et al. (hereafter "Yoshida"). Specifically, the Office Action alleges that Nagayama teaches a fuel cell manufacturing method for manufacturing a fuel cell, comprising a process of feeding a polymer electrolyte membrane formed in strip form and process of positioning and fixing any of a catalytic layer, a gas diffusion layer and a separator on a surface of the polymer electrolyte membrane. Applicants respectfully traverse this rejection for at least the following reasons.

First, independent claims 61 and 70 have been significantly amended in similar ways to distinguish over the cited references and to clarify the claimed invention. Specifically, the limitations of claims 62 and 63 have been incorporated into claim 61 and the limitations of claims 71 and 72 have been incorporated into claim 70.

Second, Nagayama does not disclose conveyance holes and positioning holes, but Applicants acknowledge that Yoshida discloses a positioning process using sprocket wheels 34a, 34b and sprocket holes 33. However, neither Nagayama nor Yoshida disclose a process of or a mechanism for using a sensor to detect a displacement speed of the conveyance holes and passage of the positioning marks at a predetermined point through which the polymer electrolyte membrane passes and a process of or a mechanism for determining a timing for positioning and fixing any of the catalyst layer, the gas diffusion layer, and the separator on the surface of the polymer electrolyte membrane on the basis of the displacement speed of the conveyance holes and a detection timing of the positioning marks. Amended claims 61 and 70 now recited this limitations, distinguishing it from any combination of Nagayama and Yoshida.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith,

Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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